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Mary E. Dionne  
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of	)	
	)	Examiner: Merrick Dixon
Alan W. Menard, et al.	)	
	)	Group Art Unit: 1774
for: DRUM ASSEMBLY FOR AN INTERNAL	)	
DRUM IMAGING DEVICE	)	
	)	
Serial No.: 08/844,267	)	
	)	Our Docket No.: I48-1123
Filed: April 18, 1997	)	

Springfield, Massachusetts, November 2, 1999

OFFICE OF PATENT PUBLICATION and  
OFFICE OF PETITIONS  
Attn: Ms. Karna Cooper  
Office of Patent Publication  
Washington, D.C. 20231

NOV 02 1999  
RECEIVED

**PETITION TO WITHDRAW ABANDONMENT under 37 CFR §1.181(a) and MPEP**  
**§711.03(C), or in the alternative, PETITION TO REVIVE ABANDONED**  
**APPLICATION DUE TO UNAVOIDABLE DELAY under 37 CFR §1.137(a), or in the**  
**alternative, PETITION TO REVIVE ABANDONED APPLICATION DUE TO**  
**UNINTENTIONAL DELAY under 37 CFR §1.137(b)**

**I. PETITION TO WITHDRAW ABANDONMENT**

Ms. Cooper:

Pursuant to 37 CFR §1.181(a) and MPEP §711.03(C), Applicants respectfully request that the NOTICE OF ABANDONMENT, issued on October 1, 1999 in connection with the above-referenced application, be withdrawn in view of the circumstances and facts surrounding this holding of abandonment, as follows:

1. On April 9, 1999 a NOTICE OF ALLOWABILITY was mailed to Applicants (copy enclosed);
2. Also on April 9, 1999 a NOTICE OF ALLOWANCE AND ISSUE FEE DUE was mailed to Applicants setting a non-extendable three month time period for response (copy enclosed);
3. On July 7, 1999 Applicants transmitted the required Issue Fee which was received by the Patent Office on July 9, 1999 (copy enclosed);
4. On October 1, 1999 a NOTICE OF ABANDONMENT was mailed to Applicants citing Applicants' failure to timely file formal drawings 'as required in the Notice of Allowability' (copy enclosed).

Applicants request that the Abandonment of the present case be withdrawn due to the Primary Examiner's error in not indicating that formal drawings were required on the Summary page of the Notice of Allowability, and further, given the bona fide attempt to respond to the Notice of Allowability as evidenced by Applicants paying the required Issue Fee within the set time period, that the Primary Examiner again erred in issuing the Notice of Abandonment eight days prior to the six month time period, in conflict with MPEP §711.03(c) - citing 37 CFR §1.135(c) - and 37 CFR §1.134.

As can be seen with respect to the enclosed Notice of Allowability, there is no indication under PART II that formal drawings were then required. Although it is true that one sentence on page three indicates such, Applicants put great faith in the Examiner properly filling out the Summary page 1 of the Notice of Allowability so that proper forwarding to the respective docketing divisions can take place.

Given that the Primary Examiner properly filled out other sections of the Notice of Allowability concerning the Amendment received on March 30, 1999, the Interview Summary Record and the Reasons for Allowance, the Primary Examiner's failure to properly record the requirement for formal drawings was, in fact, the cause for Applicants failure to respond in the required time period. Formal drawings are now enclosed with the present Petition.

Moreover, MPEP §711.03(c) and 37 CFR §1.135(c) indicate that where there is a bona fide attempt by Applicant to make a proper reply, but some requirement has been inadvertently omitted, a new time period to reply may be given. Applicants assert that, at the least, it can be clearly seen that there was indeed a bona fide attempt to meet the requirements of the Notice of Allowability within the time period and strongly believe that they should have been afforded a new time period to supplement the reply with the inadvertently omitted material, which did not occur, especially given the Primary Examiner's error as noted above.

Lastly, 37 CFR §1.135(c) specifically cites 37 CFR §1.134 which states that 'unless the Applicant is required in writing that a reply is required in less than six months, a maximum period of six months is allowed'. Nowhere in the Notice of Allowability does the Primary Examiner indicate that a shortened statutory period for response for filing formal drawings was in effect, yet the Primary Examiner issued the Notice of Abandonment eight days prior to the six month time period. The Notice of Abandonment was therefore premature and improperly executed by the Primary Examiner.

Applicants therefore respectfully request that given the errors by the Primary Examiner as noted above and Applicants bona fide attempt at a complete reply to the Notice of Allowance, that the holding of Abandonment be withdrawn, the formal drawings entered and the case be forwarded to final printing.

It is believed that no additional fees or deficiencies in fees are owed with respect to this Petition to Withdraw Holding of Abandonment, however, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any additional fees are owed.

In the alternative:

**II. PETITION TO REVIVE ABANDONED APPLICATION DUE TO UNAVOIDABLE DELAY under 37 CFR §1.137(a)**

Applicants respectfully request that this petition to revive the above-referenced abandoned application due to unavoidable delay be granted. In accordance with 37 CFR §1.137(a), and in support of this Petition to Revive, the following information is supplied:

1. The required reply, in the present case the formal drawings of the application, are hereby attached;
2. The Office is hereby authorized to charge our Deposit Account No. 13-0235 for the petition fee according to 37 CFR §1.17(l), as well as any other fees required in association with the present petition;
3. In light of the following remarks, Applicants assert that the delay in filing the formal drawings in the present application was unavoidable. As indicated in MPEP §711.03(c), a showing of unavoidability is determined by the standard of a reasonably prudent person, i.e., Applicant is permitted to

"rely upon the ordinary and trustworthy agencies of mail and telegraph, worthy and reliable employees, and such and other means and instrumentalities as are usually employed ... If unexpectedly, or through the unforeseen fault or imperfection of these agencies and instrumentalities, there occurs a failure, it may properly be said to be unavoidable, all other conditions of promptness in its rectification being present." *In re Mattullath*, 38 App. D.C. 497. 514-15 (1912).

Specifically, MPEP §711.03(c) states that 'a delay resulting an error (e.g., a docketing error) on the part of an employee in the performance of a clerical function may provide the basis for a showing of "unavoidable" delay, provided it is shown that: (A) the error was the cause of the delay at issue; (B) there was in place a business routine for performing the clerical function that could reasonably be relied upon to avoid errors in its performance; and (C) the employee was sufficiently trained and experienced with regard to the function and routine for its performance that reliance upon such employee represented the exercise of due care.'

In the present case the errors of the Primary Examiner in not indicating the requirement for formal drawings in the Notice of Allowability, as discussed above in detail in section I. Petition To Withdraw Abandonment of this Petition, directly caused the improper docketing of the application and was in fact the cause of the delay at issue.

Applicants have a longstanding business routine wherein clerical employees take careful note of the Summary page 1 of all Office Actions and forward the affected application in reliance thereupon. Applicants, therefore, rely greatly upon the Examiner's thoroughness in this regard, and given that such errors by Examiners, especially Primary Examiners as in the present case, are very infrequent, Applicants believe that reliance upon the Primary Examiner in this regard and the existing business routine can be reasonably be said to be representing the exercise of due care and diligence.

Moreover, as all other conditions which were noted upon the Notice of Allowability, such as payment of the Issue Fee, were addressed by Applicants within the applicable time period, and that the present Petition was filed promptly and within the two month time period, Applicants believe that the delay in providing the formal drawings may fairly be termed 'unavoidable' in accordance with MPEP §711.03(c).

Applicants therefore respectfully request that the application be revived due to unavoidable delay, the formal drawings entered and the case be forwarded to final printing.

It is believed that no additional fees or deficiencies in fees are owed with respect to this Petition to Revive beyond those mentioned above, however, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any additional fees are owed.

In the alternative:

**III. PETITION TO REVIVE ABANDONED APPLICATION DUE TO UNINTENTIONAL DELAY under 37 CFR §1.137(b)**

Applicants respectfully request that this petition to revive the above-referenced abandoned application due to unintentional delay be granted. In accordance with 37 CFR §1.137(b), and in support of this Petition to Revive, the following information is supplied:

1. The Office is hereby authorized to charge our Deposit Account No. 13-0235 for the petition fee according to 37 CFR §1.17(m), as well as any other fees required in association with the present petition;

2. The Issue Fee has been paid, as evidenced by the enclosed documentation;

3. Applicants' hereby states that the delay in filing the formal drawings in the above-referenced application was unintentional, as discussed in detail above, and that this Petition was filed promptly and within the applicable two month time period for such a Petition.

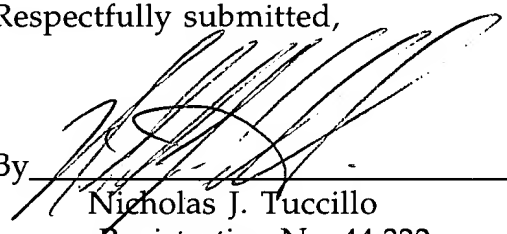
#### IV. CONCLUSION

In view of the facts and circumstances as detailed above, Applicants respectfully request that Petition To Withdraw Abandonment under 37 CFR §1.181(a) and MPEP §711.03(C) be granted, or in the alternative, that the Petition To Revive Abandoned Application Due To Unavoidable Delay under 37 CFR §1.137(a) be granted, or in the alternative, that the Petition To Revive Abandoned Application Due To Unintentional Delay under 37 CFR §1.137(b) be granted.

It is believed that no additional fees or deficiencies in fees are owed, however, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any additional fees are owed.

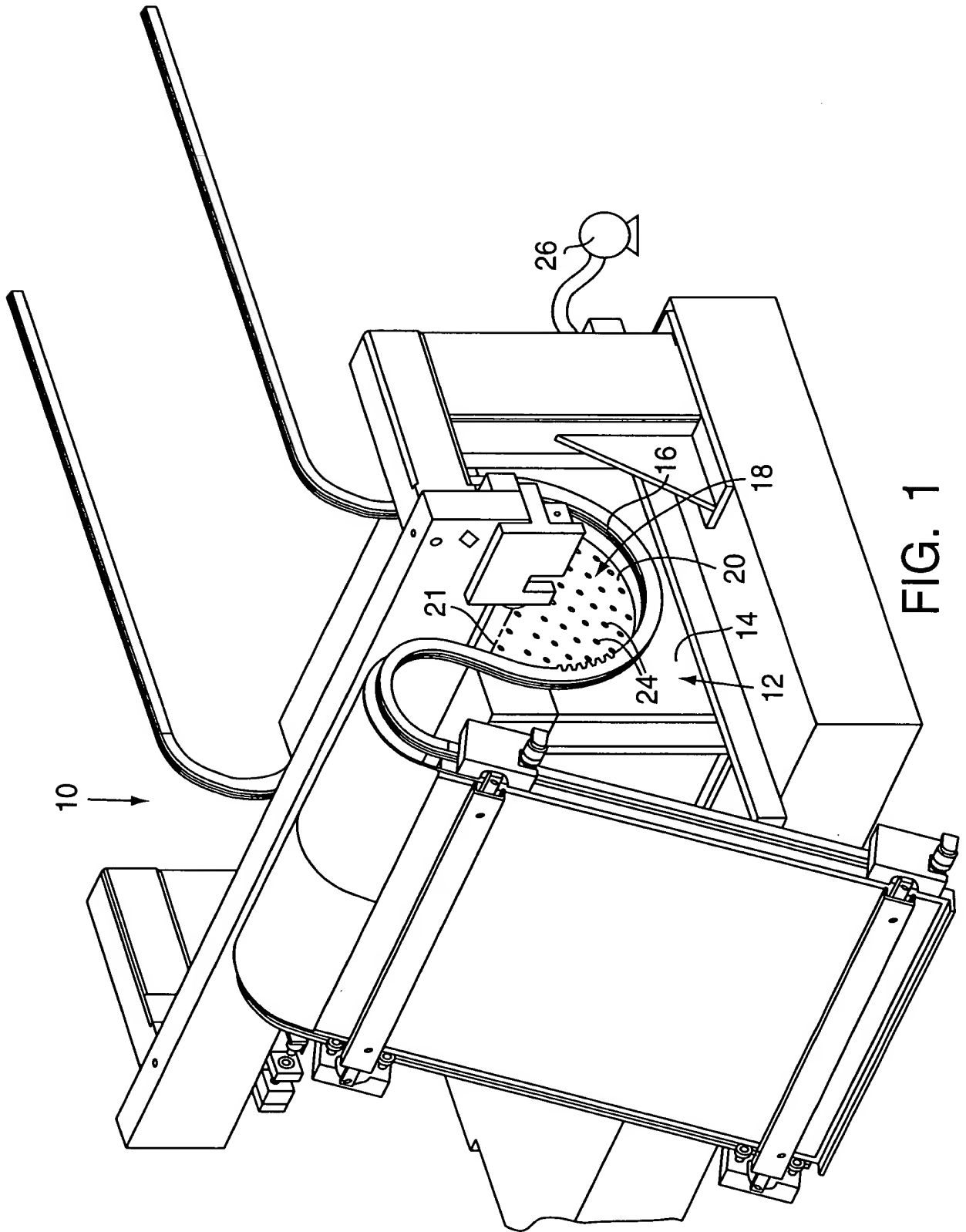
Respectfully submitted,

By



Nicholas J. Tuccillo  
Registration No. 44,322  
Attorney for Applicants

McCormick, Paulding & Huber LLP  
CityPlace II  
185 Asylum Street  
Hartford, Connecticut 06103-4102  
(860) 549-5290





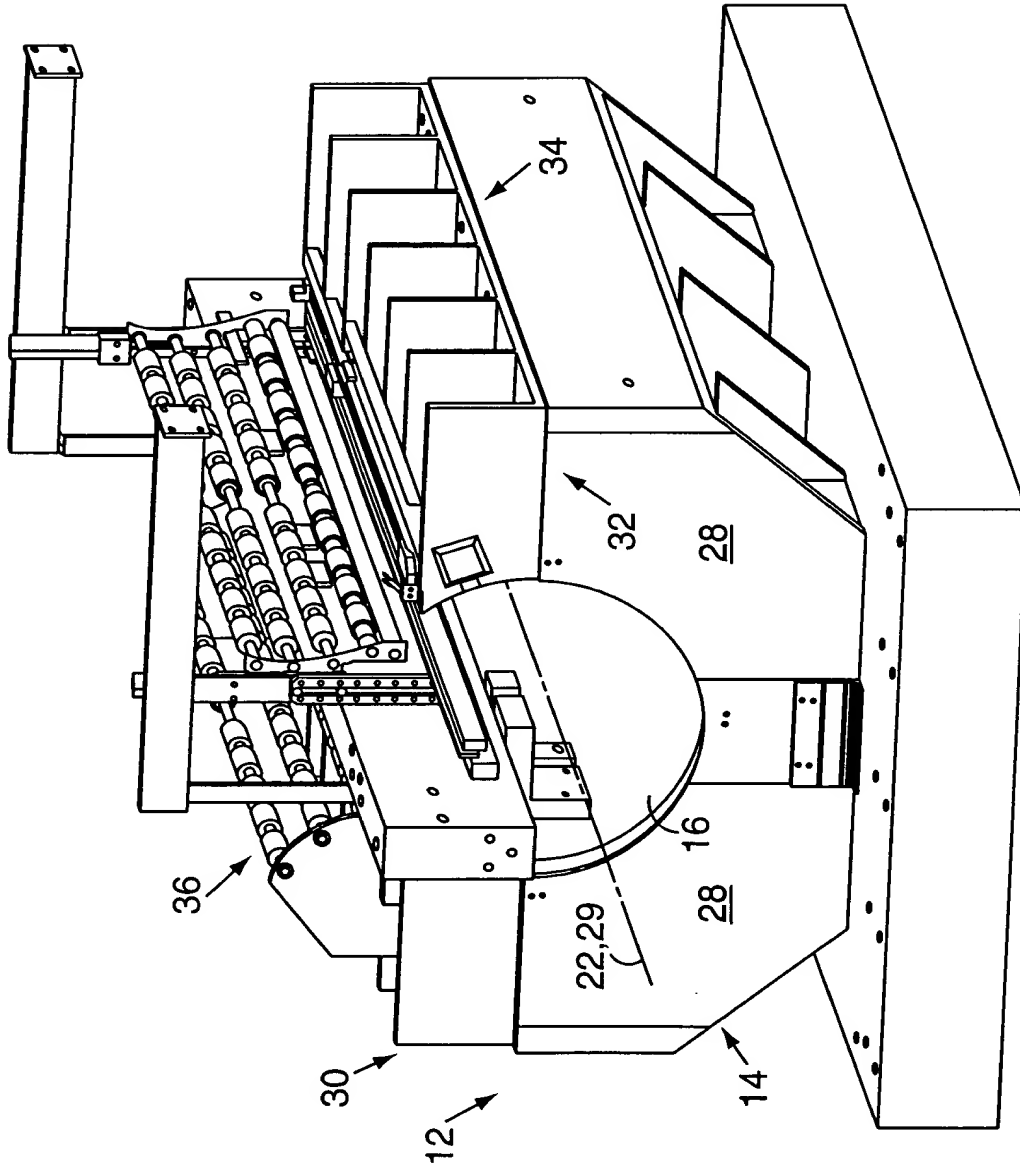


FIG. 2

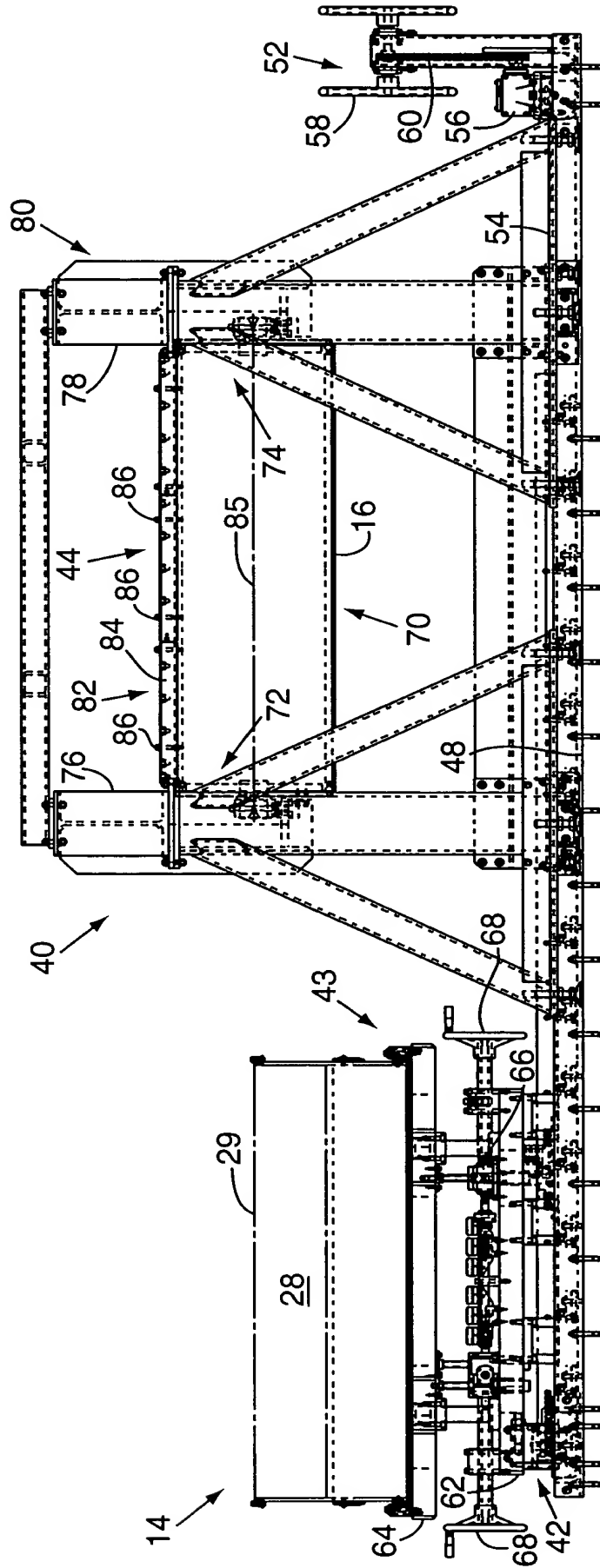


FIG. 3



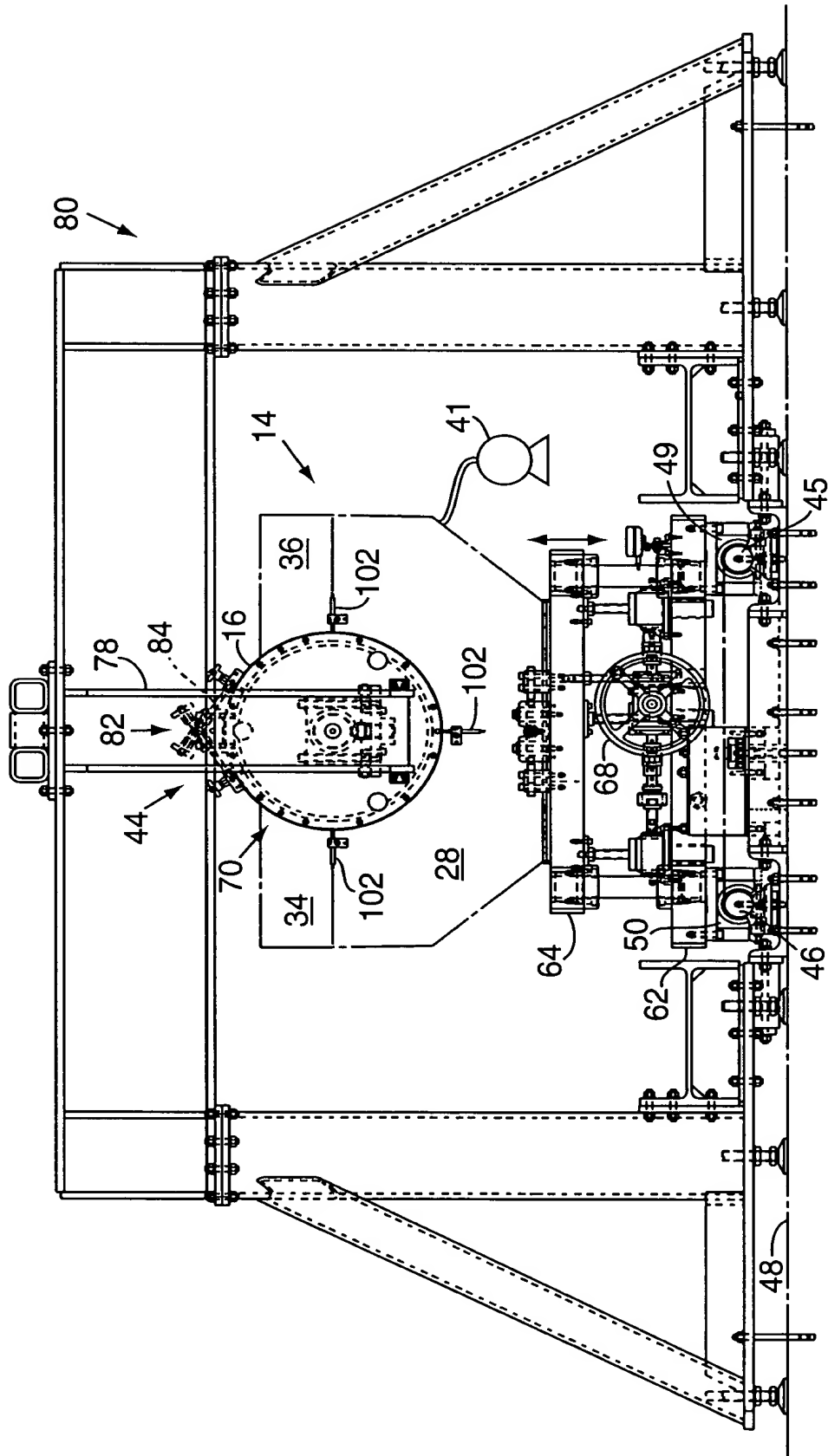


FIG. 4

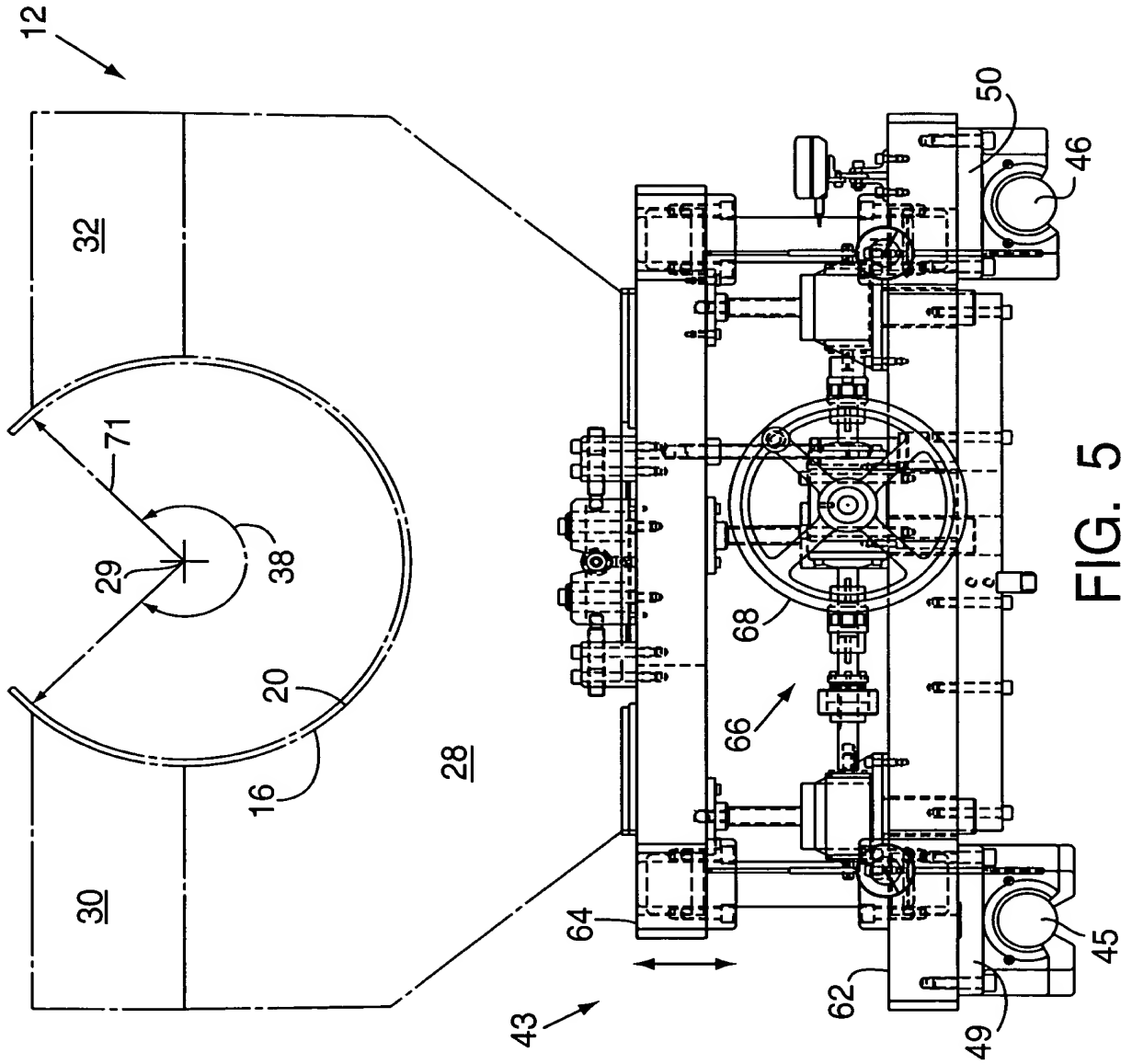


FIG. 5

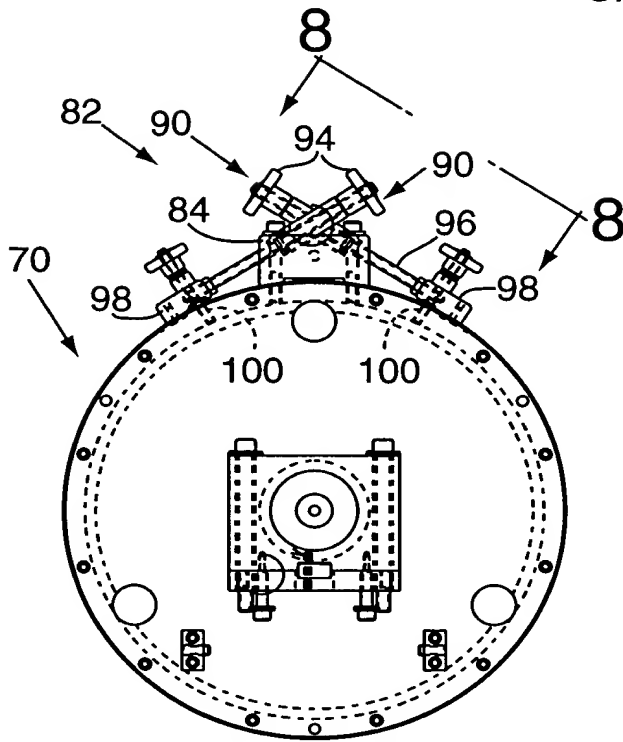


FIG. 6

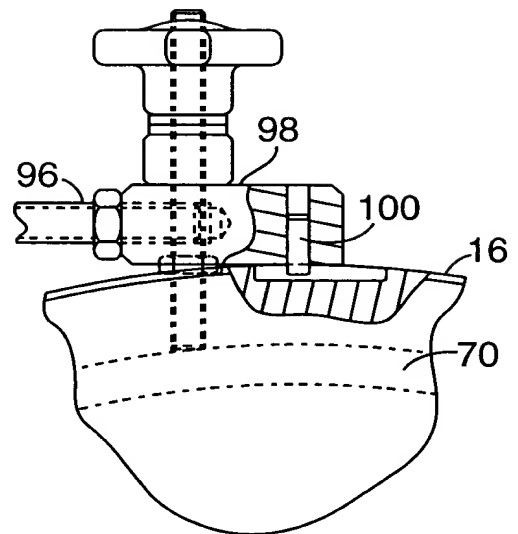


FIG. 9

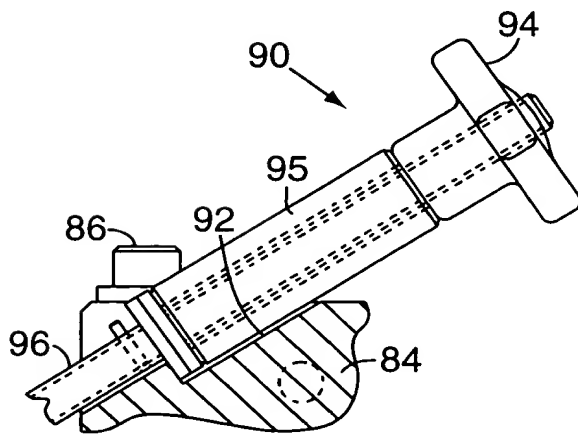


FIG. 10

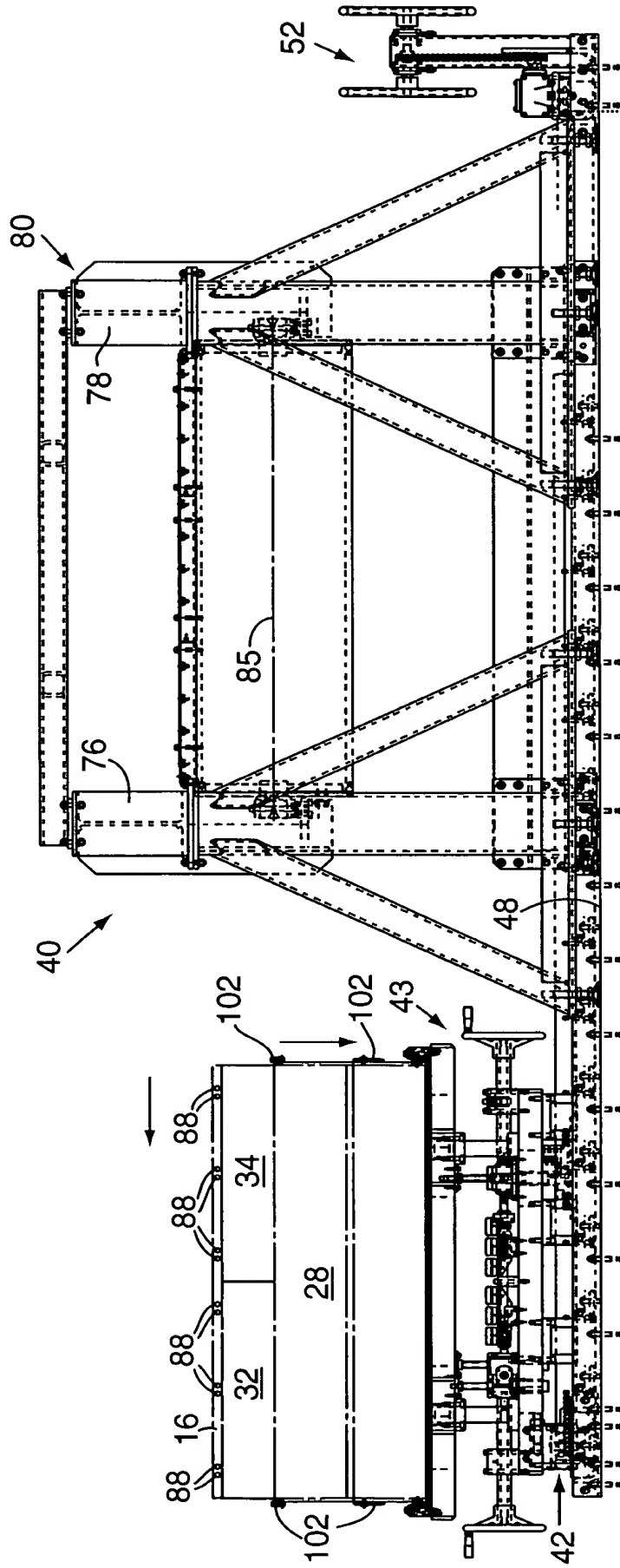


FIG. 7



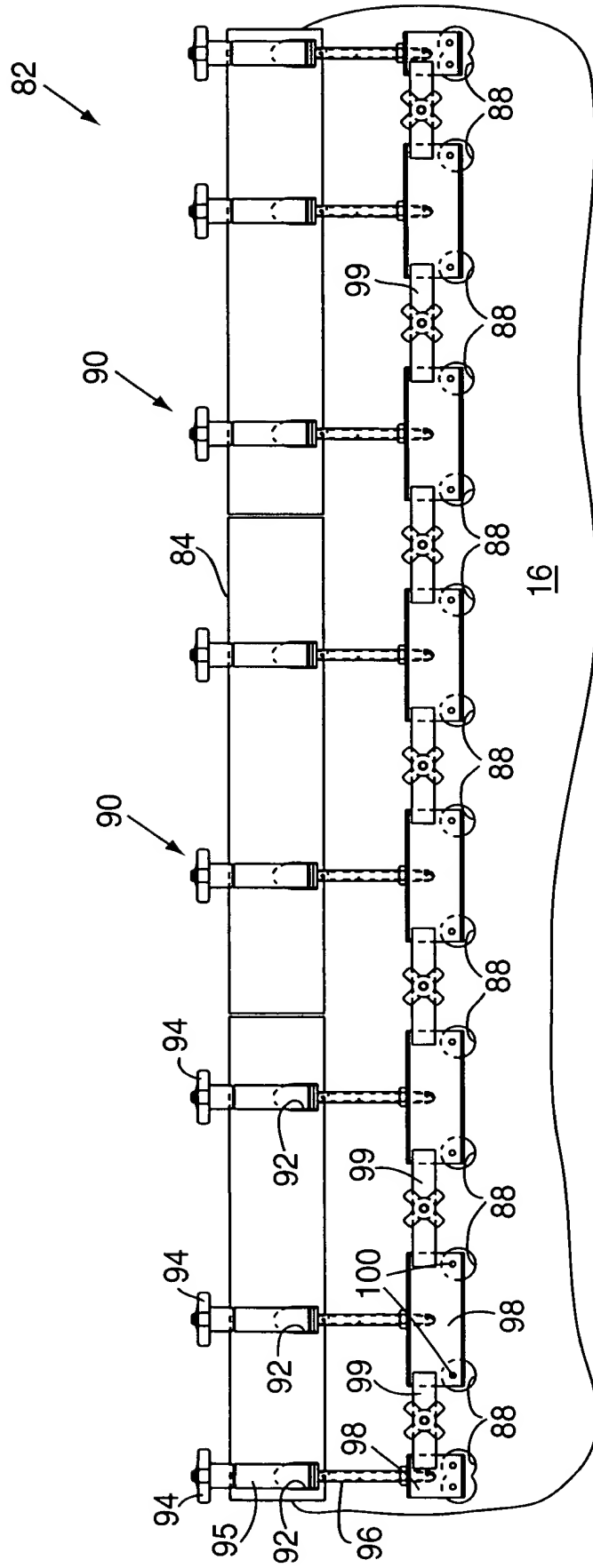


FIG. 8



COPY

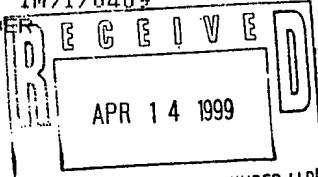


UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/844,267	04/18/97	MENARD	A 148-1123

MCCORMICK PAULDING AND HUBER  
CITYPLACE II  
185 ASYLUM STREET  
HARTFORD CT 06103-4102

IM71/0409



EXAMINER

DIXON, M

ART UNIT

PAPER NUMBER

1774

04/09/99

DATE MAILED:

# NOTICE OF ALLOWABILITY

## PART I

- ☒ This communication is responsive to Amend c, filed 3/30/99
- ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☒ The allowed claims are 9-17 (ren 1-9)
- ☐ The drawings filed on \_\_\_\_\_ are acceptable.
- ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.
- ☐ Note the attached Examiner's Amendment.
- ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☒ Note the attached Examiner's Statement of Reasons for Allowance.
- ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

## PART II

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
  - ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. \_\_\_\_\_. CORRECTION IS REQUIRED.
  - ☐ The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
  - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
  - ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

### Attachments:

- Examiner's Amendment
- Examiner Interview Summary Record, PTOL-413
- Reasons for Allowance
- Notice of References Cited, PTO-892
- Information Disclosure Citation, PTO-1449
- Notice of Informal Application, PTO-152
- Notice re Patent Drawings, PTO-948
- Listing of Bonded Draftsmen
- Other

*Merrick Dixon*

MERRICK DIXON  
PRIMARY EXAMINER  
GROUP 1300



Art Unit: 1774

15

This application has been examined.

Claims 9-17, renumbered 1-9 are allowed.

16

The following is an examiner's statement of reasons for allowance: The claimed invention is deemed unobvious over the cited art of record because such art does not teach or reasonably suggest the overall aspects of a drum assembly for an internal drum-type imaging apparatus, the drum assembly defining a concave imaging surface which is more than semi-cylindrical, the assembly made in accordance with a method comprising the steps of: releasably wrapping a drum skin partially around a generally cylindrical mandrel having an axis, the drum skin having a front face facing toward said mandrel and defining an image surface and also having a rear facing away from said mandrel in combination with fixedly attaching a drum to said rear face of the drum skin while the drum skin is wrapped around the mandrel, the drum and drum skin each extending for more than 180 deg and less than 360 deg about the mandrel axis so as to define an interface of greater than 180 and less than 360 deg extent about the mandrel axis and which drum and drum skin cooperate to define a vacuum chamber; generating a fluid bearing between said front face of the drum skin and the mandrel to separate the drum skin from the mandrel; and moving the drum and attached drum skin relative to the mandrel and in a direction parallel to the mandrel axis to

Art Unit: 1774

remove the drum and attached drum skin from the mandrel while maintaining the fluid bearing between the drum skin and the mandrel, whereby the drum and attached drum skin after removal from said mandrel provide said drum assembly with said front face of said drum skin defining said concave than semi-cylindrical.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

17

The application having been allowed, formal drawings are required in response to this Office action.

18

**Crystal Mall 1 Fax Center**

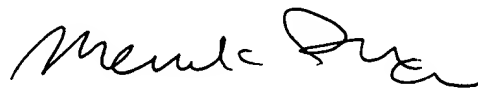
A facsimile center has been established in Crystal Plaza 3. The hours of operations are Mondays through Friday, 8:45 to 4:45 PM. This new location should be used in all instances when faxing

Art Unit: 1774

any correspondence to Group 1300. The Patent Examining Fax Center new telecopier numbers are (703) 305-3599 for all After Finals and 703-305-5408 for all others. Use of the new Crystal Plaza 3 center will facilitate rapid delivery of materials to the group. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 ( November 15, 1989).

19

Any questions concerning this communication should be directed to Examiner Merrick Dixon at 703-308-0013.



Merrick Dixon

Primary Examiner

Group 1300



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKETT NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED:

### EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) W. Krzywicki (3) \_\_\_\_\_

(2) D. Tuccillo (4) \_\_\_\_\_

Date of interview 3/30/99

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: \_\_\_\_\_

Agreement ☒ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: \_\_\_\_\_

Identification of prior art discussed: \_\_\_\_\_

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Informed Applicant that Response to Final Rejection  
has been received

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

- ☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Examiner's Signature

JK6

DOCKET	
FILE	748-1123
FOR	LOIN 7/9/99
DATE	4/14/99 BY CAS



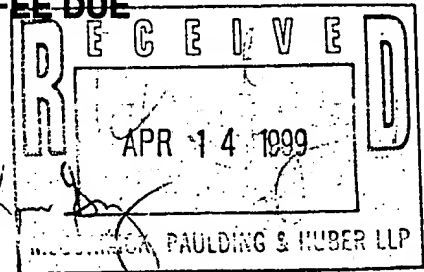
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

COPY

**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

IM71/0409

MCCORMICK PAULDING AND HUBER  
CITYPLACE II  
185 ASYLUM STREET  
HARTFORD CT 06103-4102



APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/844,267	04/18/97	009	DIXON, M 1774	04/14/99
First Named Applicant		MENARD, 35 USC 154(b) term ext. = 0 Days.		

TITLE OF INVENTION: DRUM ASSEMBLY FOR AN INTERNAL DRUM IMAGING DEVICE  
(AS AMENDED)

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 148-1123	156-173.000	R58	UTILITY	NO	\$1200.00	07/14/99

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above. X

If the SMALL ENTITY is shown as NO:

A. Pay FEE DUE shown above, or

B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above. 13-0235

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

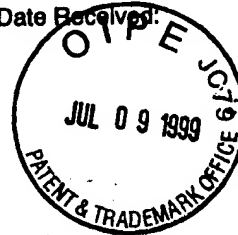
III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

YOUR COPY

Ser. ~~Pat.~~ M No. 08/844,267  
File No. I 48-1123  
Name Menard et al.

Date Received:



Hon. Commissioner of Patents

Sir:

Please acknowledge receipt of this paper by stamping the date received in the space indicated and returning this card to the addressee.

Respectfully,

McCormick, Paulding & Huber

- ☐ Application -  
☐ Amendment  
☒ Final Fee  
☒ 10 Patent Copies

\$1210  
30  
\$1,240

due 7-9



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HARTFORD, CONNECTICUT 06103-4102

27963

CHECK

FLEETBANK, N.A.  
HARTFORD, CT

51-65/119

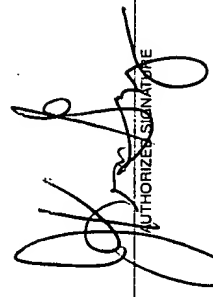
Security features. Details on back.

PAY One Thousand Two Hundred Forty and No/100 Dollars

DATE 7/7/99  
AMOUNT \$1,240.00

TO THE  
ORDER OF

Commissioner Patents & Trademarks

  
AUTHORIZED SIGNATURE  
MP

emo: 148-1123, Issue Fee

⑈027963⑈ ⑆011900652⑆ 020415 386 3⑈

MCCORMICK, PAULDING & HUBER LLP

Commissioner Patents & Trademarks 27963 7/7/99 \$1,240.00

148-1123, Issue Fee  
Account Detail:

1-3100REIMBURSABLES

\$1,240.00

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**MAILING INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE. Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Issue Fee Receipt, the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

IM71/0409  
MCCORMICK PAULDING AND HUBER  
CITYPLACE II  
185 ASYLUM STREET  
HARTFORD CT 06103-4102

Note: The certificate of mailing below can only be used for domestic mailings of the Issue Fee Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

## Certificate of Mailing

I hereby certify that this Issue Fee Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

Kevin Grogan (Depositor's name)

(Signature)

July 7, 1999

(Date)

APPLICATION NO.

FILING DATE

TOTAL CLAIMS

EXAMINER AND GROUP ART UNIT

DATE MAILED

08/844,267

04/18/97

009

DIXON, M

1774

04/18/99

First Named  
Applicant

MENARD,

35 USC 154(b) term ext. = 0 Days.

TITLE OF  
INVENTION: DRUM ASSEMBLY FOR AN INTERNAL DRUM IMAGING DEVICE  
(AS AMENDED)

ATTYS DOCKET NO.

CLASS-SUBCLASS

BATCH NO.

APPLN. TYPE

SMALL ENTITY

FEE DUE

DATE DUE/99

1 148-1123

156-173.000

R58

UTILITY

NO

\$1210.00

07/09/99

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
Use of PTO form(s) and Customer Number are recommended, but not required.

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" Indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list  
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member, a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

McCormick, Paulding &  
Huber LLP

2

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  
PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Gerber Systems Corporation  
(B) RESIDENCE (CITY & STATE OR COUNTRY)

South Windsor, Connecticut

Please check the appropriate assignee category indicated below (will not be printed on the patent)

☐ Individual ☒ corporation or other private group entity ☐ government

4a. The following fees are enclosed (make check payable to Commissioner of Patents and Trademarks):

☒ Issue Fee

☒ Advance Order - # of Copies 10

4b. The following fees or deficiency in these fees should be charged to:

DEPOSIT ACCOUNT NUMBER 13-0235  
(ENCLOSE AN EXTRA COPY OF THIS FORM)

☒ Issue Fee

☒ Advance Order - # of Copies 10

The COMMISSIONER OF PATENTS AND TRADEMARKS IS requested to apply the Issue Fee to the application identified above.

(Authorized Signature)

(Date)

7/7/99

NOTE: The Issue Fee will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the Patent and Trademark Office.

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington D.C. 20231

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*John Kaven*

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/844,267	04/18/97	MENARD	A 148-1123

MCCORMICK PAULDING AND HUBER  
CITYPLACE II  
185 ASYLUM STREET  
HARTFORD CT 06103-4102

OCT - 7 1999

EXAMINER

DIXON, M

ART UNIT	PAPER NUMBER
1774	14

DATE MAILED: 10/01/99

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on \_\_\_\_\_
  - ☐ A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - ☐ A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).

- ☐ No response has been received.
- ☐ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
  - ☐ The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
  - ☐ The submitted issue fee of \$ \_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_.
  - ☐ The issue fee has not been received.
- ☒ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
  - ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.
  - ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
  - ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below: